

REMARKS/ARGUMENTS

In response to the Office Action dated November 3, 2004, please consider the following remarks.

In the Office Action issued November 3, 2004, claims 1-6, 8-14, 16-17, 19-23, 25-26, 28-32, 34-35, and 37-38 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,208,853 to LoVasco et al. (LoVasco). Claims 7, 18, and 27 were objected to as being dependent upon a rejected base claim, but were indicated as being allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 15, 24, 33, and 36 were not discussed.

Claims 1-66 are now pending in this application. Claims 1, 5, 12, 16, 21, 25, 30, and 34 have been amended to more particularly point out the subject matter that the inventor considers to be the invention. New claims 39-66 have been added.

The applicant respectfully submits that the present invention, according to claims 1-6, 8-14, 16-17, 19-23, 25-26, 28-32, 34-35, and 37-38 is not anticipated by LoVasco. LoVasco discloses a warranty registration method for a wireless remote unit in a communication network wherein the communication network includes a wireless network and a message center. Initial activation of a wireless remote unit prompts retrieval of warranty information specific to the wireless remote unit. A message is constructed based on the warranty information and subsequently transmitted to the message center. The message center receives the warranty information and transfers it to a warranty center.

By contrast, the present invention, for example, according to claim 1, requires without a request from the wireless device, performing the steps of: establishing a mailbox for the wireless device at the server, placing a command for the wireless device in the mailbox at the server, delivering the command from the mailbox at the server to the wireless device, and executing the command at the wireless device. In LoVasco, processing is performed at the wireless device at the request of the user. LoVasco does not disclose or suggest the particular claimed processing steps of the present invention, nor does LoVasco disclose or suggest that such steps are performed at the server and without a request from the wireless device.

Thus, the present invention, according to claim 1, and according to claims 12, 21, and 30, which are similar to claim 1, and according to claims 2-6, 8-11, 13-14, 16-17, 19-20, 22-23, 25-26, 28-29, 31-32, 34-35, and 37-38, which depend therefrom, as well as claims 7, 15, 18, 24, 27, 33, 36, and 39-66, which also depend therefrom, is not anticipated by LoVasco.

Each of the claims now pending in this application is believed to be in condition for allowance. Accordingly, favorable reconsideration of this case and early issuance of the Notice of Allowance are respectfully requested.

INTERVIEW RECORD

On January 4, 2005, a personal interview was conducted with the Examiner, Kamini S. Shah. Also present were Rakesh Kushwaha, Badri Nath, and Michael Schwartz. A demonstration of a wireless device incorporating the present invention was shown to the Examiner. Claims 1, 5, 12, 21, and 30 were discussed, as was the LoVasco reference. Applicant argued that LoVasco did not teach performing the processing steps at the server and without a request from the wireless device. Agreement was reached as to amendments to be made to the claims, which amendments are included in this document. The Examiner indicated that further searching would be performed.

Additional Fees:

The Commissioner is hereby authorized to charge any insufficient fees or credit any overpayment associated with this application to Deposit Account No. 19-5127 (19527.0003).

Conclusion

In view of the foregoing, all of the Examiner's rejections to the claims are believed to be overcome. The Applicants respectfully request reconsideration and issuance of a Notice of Allowance for all the claims remaining in the application. Should the Examiner feel further communication would facilitate prosecution, he is urged to call the undersigned at the phone number provided below.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Michael A. Schwartz", with a long, sweeping horizontal stroke extending to the right.

Michael A. Schwartz
Reg. No. 40,161

Dated: January 10, 2005

Swidler Berlin LLP
3000 K Street, N.W., Suite 300
Washington, D.C. 20007
(202) 424-7500